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Contract

## **Bone Conduction**

he Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS") Gyle Square (NSS Head Office)

F03: Contract award notice

Notice identifier: 2024/S 000-017230

Procurement identifier (OCID): ocds-h6vhtk-04466b

Published 4 June 2024, 9:52am

## **Section I: Contracting authority**

### **I.1) Name and addresses**

he Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS") Gyle Square (NSS Head Office)

1 South Gyle Crescent

Edinburgh

EH12 9EB

### **Contact**

Patrick Mulraney

### **Email**

[patrick.mulraney@nhs.scot](mailto:patrick.mulraney@nhs.scot)

### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Health

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Bone Conduction

Reference number

NP66724

#### **II.1.2) Main CPV code**

- 33185000 - Hearing aids

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of Bone Conduction ('Products') as outlined further below on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities').

#### **II.1.6) Information about lots**

This contract is divided into lots: Yes

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £8,250,000

### **II.2) Description**

#### **II.2.1) Title**

Bone Drive Non-Implantable

Lot No

2

### **II.2.2) Additional CPV code(s)**

- 33185000 - Hearing aids

### **II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

### **II.2.4) Description of the procurement**

We require a range of Bone Drive Non-Implantable Devices be sold across NHS Scotland, directly to individual health boards.

We envisage awarding 4 suppliers on this lot.

### **II.2.5) Award criteria**

Quality criterion - Name: Clinical Support / Training / Weighting: 25

Quality criterion - Name: Implementation & After sales / Weighting: 25

Price - Weighting: 50

### **II.2.11) Information about options**

Options: No

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

## **II.2) Description**

### **II.2.1) Title**

Ossicles Drive

Lot No

3

### **II.2.2) Additional CPV code(s)**

- 33185000 - Hearing aids

### **II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

### **II.2.4) Description of the procurement**

We require a range of Ossicles Drive Products to be sold across NHS Scotland, directly to individual health boards.

We envisage awarding 4 suppliers on this lot.

### **II.2.5) Award criteria**

Quality criterion - Name: Clinical Support / Training / Weighting: 25

Quality criterion - Name: Implementation & After sales / Weighting: 25

Price - Weighting: 50

### **II.2.11) Information about options**

Options: No

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

## **II.2) Description**

### **II.2.1) Title**

Consumables

Lot No

4

### **II.2.2) Additional CPV code(s)**

- 33185100 - Parts and accessories for hearing aids

### **II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

### **II.2.4) Description of the procurement**

We require a range of Consumable products relating to Bone Conduction to be sold across NHS Scotland, directly to individual health boards.

All suppliers who are awarded to lots 1,2 & 3 will be awarded to lots 4 if they submit products within the pricing schedule

### **II.2.5) Award criteria**

Quality criterion - Name: Implementation/After Sales / Weighting: 25

Quality criterion - Name: Clinical Support/Training / Weighting: 25

Price - Weighting: 50

### **II.2.11) Information about options**

Options: No

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

## **II.2) Description**

### **II.2.1) Title**

Bone Drive Implantable

Lot No

1

### **II.2.2) Additional CPV code(s)**

- 33185000 - Hearing aids

### **II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

### **II.2.4) Description of the procurement**

We require a range of Bone Drive Implantable Device and specifically related products to be sold across NHS Scotland, directly to individual health boards.

We envisage awarding 4 suppliers on this lot.

### **II.2.5) Award criteria**

Quality criterion - Name: Clinical Support / Training / Weighting: 25

Quality criterion - Name: Implementation & After sales / Weighting: 25

Price - Weighting: 50

### **II.2.11) Information about options**

Options: No

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2024/S 000-007359](#)

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## **Section V. Award of contract**

### **Lot No**

1

### **Title**

Bone Drive Implantable

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

28 May 2024

#### **V.2.2) Information about tenders**

Number of tenders received: 3



Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 3

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 3

The contract has been awarded to a group of economic operators: Yes

**V.2.3) Name and address of the contractor**

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Oticon Limited

Cadzow Industrial Estate

Hamilton

ML3 7QE

Country

United Kingdom

NUTS code

- UKM95 - South Lanarkshire

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Cochlear Europe Limited

6 Dashwood Lang Road, Bourne Business Park

Addlestone

KT15 2HJ

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

The contractor is an SME

No

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £6,600,000

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**Section V. Award of contract**

**Lot No**

2

**Title**

Bone Drive Non-Implantable

A contract/lot is awarded: Yes

## **V.2) Award of contract**

### **V.2.1) Date of conclusion of the contract**

28 May 2024

### **V.2.2) Information about tenders**

Number of tenders received: 3

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 3

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 3

The contract has been awarded to a group of economic operators: Yes

### **V.2.3) Name and address of the contractor**

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

### **V.2.3) Name and address of the contractor**

Starkey Laboratories Limited

William F Austin House, Bramhall Technology Park, Pepper Road, Hazel Grove

Stockport, Cheshire

SK7 5BX

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Cochlear Europe Limited

6 Dashwood Lang Road, Bourne Business Park

Addlestone

KT15 2HJ

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

The contractor is an SME

No

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £575,000

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## **Section V. Award of contract**

### **Lot No**

3

### **Title**

Ossicles Drive

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

28 May 2024

#### **V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor**

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £581,000

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## **Section V. Award of contract**

### **Lot No**

4

### **Title**

Consumables

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

28 May 2024

#### **V.2.2) Information about tenders**

Number of tenders received: 4

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 4

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: Yes

#### **V.2.3) Name and address of the contractor**

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Starkey Laboratories Limited

William F Austin House, Bramhall Technology Park, Pepper Road, Hazel Grove

Stockport, Cheshire

SK7 5BX

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Oticon Limited

Cadzow Industrial Estate

Hamilton

ML3 7QE

Country

United Kingdom



NUTS code

- UKM95 - South Lanarkshire

The contractor is an SME

No

### **V.2.3) Name and address of the contractor**

Cochlear Europe Limited

6 Dashwood Lang Road, Bourne Business Park

Addlestone

KT15 2HJ

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

The contractor is an SME

No

### **V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £5.50

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## **Section VI. Complementary information**

### **VI.3) Additional information**

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of (add description here...) ('Products') on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Join Boards established

pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities'), where applicable and Scottish Hospices. The estimated values referred to in Section II.1.5 and 11.2.6 covers the 43 months contract duration plus the 2 x 12 months extension period of the framework agreement

(SC Ref:766807)

## **VI.4) Procedures for review**

### **VI.4.1) Review body**

Sheiriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

Economic operators should approach the contracting authority in the first instance. However, the only formal remedy is to apply to the courts:

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014, may bring proceedings in the Sheriff Court or the Court of Session.

The bringing of court proceedings against the Authority after the Framework Agreement has been entered into will not affect the Framework Agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages.